

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEMARCUS COLEMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:19-cv-00899-LSC-SGC
)	
ZACKERY McLEMORE, et al.,)	
)	
Defendants.)	

UNOPPOSED MOTION TO EXTEND DISCOVERY DEADLINES

COMES NOW, Demarcus Coleman (the “**Plaintiff**”), by and through undersigned counsel, and respectfully moves this Court to extend the deadline for completing discovery for thirty (30) days as stated herein and below. As grounds for this motion, the Plaintiff states as follows:

1. On July 22, 2019, this Honorable Court entered an order for special report advising that no additional discovery would be allowed absent leave of Court (Doc. 10).
2. On June 28th, 2021, Plaintiff and Defendants Zackery McLemore, et al. (the “**Defendants**,” together with Plaintiff, the “**Parties**”), through counsel, jointly requested leave to conduct additional discovery, including depositions. The parties filed a report on August 2, 2021, proposing a discovery plan (Doc. 45), and a telephone conference was held on August 3, 2021 to discuss scope of discovery.

3. On August 6, 2021 this Honorable Court granted in part the parties' joint motion to conduct additional discovery, specifying that depositions shall be completed November 5th, 2021.
4. Defendants completed their single deposition of Demarcus Coleman on Friday, October 29, 2021. Plaintiffs have completed depositions for two of the three defendants (Gadson & McLemore) and will depose the third deposition of Defendant Joe Binder tomorrow, November 3, 2021.
5. Parties have been working diligently to complete all depositions by the November 5, 2021 deposition cutoff. However, due to logistical and scheduling challenges, including deponent work schedules, the parties will be unable to complete all depositions by this deadline. Specifically, Plaintiff needs more time to depose the following individuals: Mohamed Jenkins, Shannon Caldwell, George Adams, David Bucher. Each of these individuals are ADOC employees and have been duly served with a subpoena - Jenkins and Adams served 10/29, Bucher served on 11/1 and Caldwell on 11/2.
6. Parties have made a good faith effort to complete said depositions by the November 5th, 2021 cutoff. Plaintiff has been working collaboratively with Defendants' counsel to schedule depositions in a timely manner. However, Plaintiff has contacted ADOC counsel via email to schedule the most convenient time and location for the depositions of Mohamed Jenkins, Shannon Caldwell, George Adams, and David Bucher.
7. To adequately prepare for trial, it is critical that Plaintiff have the opportunity to depose all Defendants as well as material witnesses listed above.

8. Counsel for Plaintiff is requesting an additional thirty (30) days to complete discovery in this matter for the reasons listed above.
9. Prior to submitting this Motion, the Parties conferred, and Defendants' counsel is unopposed to the granting of this Motion.
10. The foregoing request being submitted in good faith would not prejudice either Party. Counsel for the Plaintiff requests an extension of the discovery cutoff as stated above.

WHEREFORE PREMISES CONSIDERED, based on the above and foregoing, the counsel for the Plaintiff hereby respectfully moves this Court to extend the discovery cutoff in this matter for thirty (30) days.

Respectfully submitted this 3rd day of November, 2021.

s/ Richard A. Rice
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing by Notice of Electronic Filing, or, if the party served does not participate in Notice of Electronic Filing, by U.S. First Class Mail, hand delivery, fax or email on this the 3rd day of November 2021:

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/s/ Richard A. Rice
Richard A. Rice